

Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

GEOFFREY SEUK, D.D.S., P.S. dba LAKE
UNION FAMILY DENTAL; and WONG
AND WONG PLLC dba HIDDEN VALLEY
SMILES, individually and on behalf of all
others similarly situated,

Plaintiffs,

vs.

SENTINEL INSURANCE COMPANY,
LIMITED,

Defendant.

Case No. 2:21-cv-00346-BJR

**STIPULATED MOTION AND
ORDER TO CONSOLIDATE**

Plaintiffs Geoffrey Seuk, D.D.S., P.S. dba Lake Union Family Dental and Wong and Wong PLLC dba Hidden Valley Smiles (together, the “Seuk Plaintiffs”) and Defendant Sentinel Insurance Company, Limited (“Sentinel”) (together with Seuk Plaintiffs, the “Parties”), through their undersigned counsel, submit this stipulated motion to consolidate this action with the consolidated matter, *Chorak, et al. v. Hartford Casualty Insurance Co., et al.*, No. 2:20-cv-00627-BJR, including adoption of the pending briefing on the Motion to Dismiss and for Judgment on the Pleadings and the Motion to Certify Questions filed in that action. The Parties state as follows:

WHEREAS, on November 10, 2020, the United States District Court for the Western District of Washington ordered that the cases then pending in this District involving COVID-19-related business interruption insurance coverage claims against Hartford Casualty Insurance

1 Company, Hartford Fire Insurance Company, and Sentinel Insurance Company, Limited (together,
2 “Hartford”) be consolidated for pretrial proceedings under the matter, *Chorak, et al. v. Hartford*
3 *Casualty Insurance Co., et al.*, No. 2:20-cv-00627-BJR (ECF No. 38);

4 WHEREAS, on November 20, 2020, plaintiffs Mario D. Chorak, DMD, P.S.; Lina Kim,
5 DDS, P.S.; Arnell Prato, DDS, PLLC; Andrew Lee, DDS, Glow Medispa, LLC; KCJ Studios LLC
6 dba Barre3 Ballard Exercise Studio; Humble Warrior LLC dba Barre3 Roosevelt and Capitol Hill;
7 ALELG, LLC dba Barre3 Felida; and Andrew Lee, DDS filed a Consolidated Amended Class
8 Action Complaint (ECF No. 40) (“*Chorak Class Complaint*”), under the matter, *Chorak, et al. v.*
9 *Hartford Casualty Insurance Co., et al.*, No. 2:20-cv-00627-BJR;

10 WHEREAS, on January 15, 2021, Hartford filed a Motion to Dismiss and for Judgment on
11 the Pleadings in the consolidated *Chorak* matter (ECF No. 56);

12 WHEREAS, the plaintiffs in the consolidated *Chorak* matter filed a Motion to Certify
13 Questions to the Washington State Supreme Court on February 18, 2021 (ECF No. 66);

14 WHEREAS, Hartford’s Motion to Dismiss and for Judgment on the Pleadings in the
15 consolidated *Chorak* matter was fully briefed as of March 5, 2021;

16 WHEREAS, on March 12, 2021, the Seuk Plaintiffs filed this new Class Action Complaint
17 (the “*Seuk Class Complaint*”) (Dkt. No. 1) against Sentinel Insurance Company, Limited as
18 Defendant;

19 WHEREAS, on March 25, 2021, Hartford joined in the filing of an omnibus opposition to
20 the Motion to Certify Questions in the consolidated *Chorak* matter (ECF No. 77);

21 WHEREAS, the Seuk Plaintiffs are represented by the same counsel that represents the
22 plaintiffs in the *Chorak Class Complaint* and Defendant Sentinel is represented by the same
23 counsel that represents Hartford in the *Chorak* matter;

24 WHEREAS the Parties believe that consolidation of this action with the consolidated
25 *Chorak* matter, including adoption of the pending briefing on the Motion to Dismiss and for
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1 Judgment on the Pleadings and Motion to Certify Questions filed in that action, would aid in the
2 efficient administration of justice;

3 NOW, THEREFORE, the Parties move the Court to consolidate this action for pretrial
4 proceedings with the actions consolidated under the matter, *Chorak, et al. v. Hartford Casualty*
5 *Insurance Co., et al.*, No. 2:20-cv-00627-BJR, including adoption of the pending briefing on the
6 Motion to Dismiss and for Judgment on the Pleadings and Motion to Certify Questions filed in
7 that action. For purposes of the pending Motion to Dismiss and Motion to Certify Questions in
8 *Chorak*, the claims set forth in the *Seuk* Class Complaint should be treated as if they had been
9 asserted in the *Chorak* Class Complaint. Upon consolidation, the Parties agree to be bound by the
10 rulings of the Court on the pending Motion to Dismiss and for Judgment on the Pleadings in the
11 consolidated *Chorak* matter.

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ORDER

Having review the parties' stipulation, and finding that good cause exists for the requested relief, the Court hereby **GRANTS** the stipulation.

IT IS ORDERED that this matter is consolidated with *Chorak, et al. v. Hartford Casualty Insurance Co., et al.*, No. 2:20-cv-00627-BJR, including adoption of the pending briefing on the Motion to Dismiss and for Judgment on the Pleadings and Motion to Certify Questions filed in that action. For purposes of the pending Motion to Dismiss and Motion to Certify Questions in the *Chorak* matter, the claims set forth in this action will be treated as if they had been asserted in the consolidated amended *Chorak* class action complaint. The Parties in this action will be bound by the rulings of the Court on the pending Motion to Dismiss and for Judgment on the Pleadings in the consolidated *Chorak* matter.

The Clerk of the Court is hereby notified of this consolidation.

DATED this 2nd day of April, 2021.



Barbara J. Rothstein
UNITED STATES DISTRICT JUDGE